

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

SEP 28 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEAL
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD W. ARNOLD,
WELDON BEARDAIN, DANIEL W. PREVEDEL,
DONALD E. RILEY and LESTER L. WILSON

Application 09/164,580

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on September 22, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

A review of the Image File Wrapper (IFW) indicates that on November 15, 2001, a "Supplement to Amendment Under 37 C.F.R. 1.111" was filed which stated:

[A]ttached hereto are Declarations of the inventors

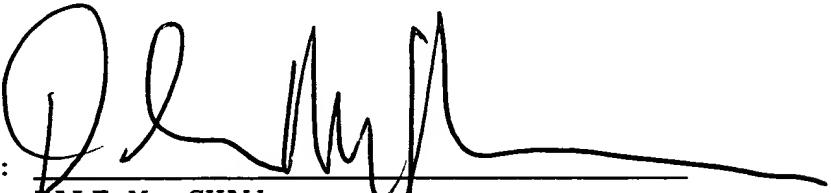
However, upon further review, only page 2 of one declaration which was signed by three of the inventors and dated 11/06/01 is appended.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for locating the missing page(s) of the declaration(s) filed November 15, 2001;
- 2) for having a complete copy of the missing page(s) of the declaration(s) scanned into the IFW;
- 3) for a written notification to appellants regarding the action taken; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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By: 
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DMS:psb

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